IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA CLARKSBURG DIVISION

WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS for and on behalf of WEST VIRGINIA UNIVERSITY,

Plaintiff,

v. Civil Action No.: 1:08-CV-00041 (Honorable Irene M. Keeley)

RICHARD RODRIGUEZ,

Defendant.

CERTIFICATE OF SERVICE

I, Jeffrey M. Wakefield, hereby certify that on January 18, 2008, I electronically filed the "PLAINTIFF WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS' MOTION TO REMAND AND MOTION FOR COSTS, EXPENSES, AND ATTORNEY FEES" and "PLAINTIFF WEST VIRGINIA UNIVERSITY BOARD OF GOVERNORS' MEMORANDUM OF LAW IN SUPPORT OF MOTION TO REMAND AND MOTION FOR COSTS, EXPENSES, AND ATTORNEY FEES" with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Sean P. McGinley, Esq. DiTrapano, Barrett & DiPiero 604 Virginia Street, East Charleston, West Virginia 25301 Counsel for Defendant

E-mail: mcginley@dbdlaw1.com

and I hereby certify that I have mailed, by United States Postal Service, the documents to the following non-CM/ECF participants this 18th day of January, 2008:

R. Ethan Davis, Esq. Marvin A. Robon, Esq. Barkin & Robon, Ltd. 1701 Woodlands Drive Suite 100 Maumee, Ohio 43537

/s/ Jeffrey M. Wakefield

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